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OCT 17 1975

CLERK, U.S. District Court
Eastern District of California

BY _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

LYNETTE ALICE FROMME, and E. RICHARD WALKER, Plaintiffs, vs. ROBERT HENDRICKSON, ROBERT HENDRICKSON PRODUCTIONS, and TOBAN INTERNATIONAL RELEASING, Defendants.	)	CIVIL NO. S-75-682

FINDINGS AND INJUNCTIVE ORDER

On this day the Court viewed the film entitled "Manson". Those present at the viewing were plaintiff Lynette Alice Fromme, Attorney John Virga, defendant Robert Holley, Assistant United States Attorney Donald Heller, and certain attaches and personnel of the Court. No members of the public or news

media were present at said viewing. Thereafter in open court argument was waived by both plaintiff Lynette Alice Fromme and Assistant Federal Defender Robert Holley acting on behalf of Miss Fromme's co-plaintiff E. Richard Walker. Argument was also waived by the defendant Robert Hendrickson, who was present without counsel. The parties agreed to submit the matter on the complaint and other documents filed herein and on the evidence taken by the Court in the aforesaid viewing of the said film. The Court took the matter under submission and now finds as follows:

The Court is here concerned with two Constitutional rights which, under the circumstances of this case, are in conflict with each other. One is the First Amendment right of free press and free speech; the other is the right of defendant Lynette Alice Fromme, in the case entitled United States of America v. Lynette Alice Fromme,

Criminal No. S-75-451, under the Sixth Amendment, to a speedy and fair trial.

After viewing the film the Court finds that in this instance the two rights are irreconcilable. The availability of the film to the general public, which would include all of the prospective jurors in this case, could so increase the difficulty of selecting a fair and impartial jury that there is a high probability that defendant Lynette Alice Fromme could be denied her right to both a fair and speedy trial.

Considering all of the circumstances of this case, the Court finds that in the interest of justice the First Amendment rights of the defendants herein to distribute, exhibit, or otherwise make available for public or private viewing the film "Manson" in the 26 counties located in the Eastern District of California served by this Sacramento court must be subordinated to the Sixth Amendment right

of plaintiff herein, Lynette Alice Fromme, to a fair and speedy trial.

The Court makes no finding concerning the integrity or authenticity of the film or of any of the scenes protrayed or words spoken therein. Nor does the Court make any finding concerning the identity of the persons or places depicted or shown in the film. The Court's finding is based solely on what the Court has seen and heard as the film was exhibited to the Court on this day. Finally, the Court makes no finding whether or not the film entitled "Manson" has redeeming social value.

Good cause appearing, IT IS ORDERED as follows:

1. Defendants herein, their agents, employees, and associates, and each of them, during the time limit stated in paragraph 3 of this order, are enjoined from distributing, exhibiting,

or otherwise making available for public or private viewing, without subpoena, the motion picture entitled "Manson", or any facsimile or portion thereof, including but not limited to transcriptions, photographs, or film clips thereof, except as allowable advertisement as stated in paragraph 2 below, in any of the 26 counties located in the Eastern District of California which are served by this court, identified in Exhibit "A" attached hereto and by reference made a part hereof.

2. The injunction stated in paragraph 1 herein shall include all advertising by the named defendants of the motion picture entitled "Manson" which may depict or refer in any way whatever to the plaintiff Lynette Alice Fromme.

3. This injunction shall remain in full force and effect until such time as the jury is sequestered in the case of United States of America v. Lynette

Alice Fromme, Criminal No. S-75-451, or,
if a jury is not sequestered in said cas
then until such time as a verdict is rea
by the jury.

DATED: October 16, 1975

/s/ Thomas J. MacBride
UNITED STATES DISTRICT JUD

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UDGE